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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,020	11/10/2005	Hee Hyeok Hahm	123051-05040286	7877
22429	7590	02/21/2008	EXAMINER	
LOWE HAUPTMAN HAM & BERNER, LLP			TORRES, MARCOS L	
1700 DIAGONAL ROAD			ART UNIT	PAPER NUMBER
SUITE 300				2617
ALEXANDRIA, VA 22314				
MAIL DATE		DELIVERY MODE		
02/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No.	Applicant(s)
	10/530,020	HAHM ET AL.
Examiner  Marcos L. Torres	Examiner	Art Unit
		2617
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --		
THE REPLY FILED <u>12 February 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.		
1. <input checked="" type="checkbox"/> The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:		
a) <input type="checkbox"/> The period for reply expires _____ months from the mailing date of the final rejection.		
b) <input checked="" type="checkbox"/> The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.		
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).		
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		
<b>NOTICE OF APPEAL</b>		
2. <input type="checkbox"/> The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).		
<b>AMENDMENTS</b>		
3. <input checked="" type="checkbox"/> The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because		
(a) <input type="checkbox"/> They raise new issues that would require further consideration and/or search (see NOTE below);		
(b) <input type="checkbox"/> They raise the issue of new matter (see NOTE below);		
(c) <input checked="" type="checkbox"/> They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or		
(d) <input type="checkbox"/> They present additional claims without canceling a corresponding number of finally rejected claims.		
NOTE: <u>see attachment</u> . (See 37 CFR 1.116 and 41.33(a)).		
4. <input type="checkbox"/> The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).		
5. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____.		
6. <input type="checkbox"/> Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).		
7. <input checked="" type="checkbox"/> For purposes of appeal, the proposed amendment(s): a) <input checked="" type="checkbox"/> will not be entered, or b) <input type="checkbox"/> will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.		
The status of the claim(s) is (or will be) as follows:		
Claim(s) allowed: _____.		
Claim(s) objected to: _____.		
Claim(s) rejected: <u>1-20</u> .		
Claim(s) withdrawn from consideration: _____.		
<b>AFFIDAVIT OR OTHER EVIDENCE</b>		
8. <input type="checkbox"/> The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).		
9. <input type="checkbox"/> The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).		
10. <input type="checkbox"/> The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.		
<b>REQUEST FOR RECONSIDERATION/OTHER</b>		
11. <input checked="" type="checkbox"/> The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>see attachment</u> .		
12. <input type="checkbox"/> Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.		
13. <input type="checkbox"/> Other: _____.		
 <b>GEORGE ENG</b> <b>SUPERVISORY PATENT EXAMINER</b>		

**ADVISORY ACTION**

***Response to Arguments***

1. Applicant's remarks filed 2-12-08 states that a terminal disclaimer is being submitted with the remarks, however the examiner was not able to find any terminal disclaimer, approved terminal disclaimer or terminal disclaimer fee paid. Also the status letter mailed to the applicant on the same day does not show any terminal disclaimer. In order to withdrawn the double patenting rejection the examiner needs an approved terminal disclaimer in file. Examiner kindly asks the applicant to resubmit the terminal disclaimer.
2. Since all independent claims still are under a double patenting rejection the amendment filed 2-12-08 does not put the application in better form for appeal or allowance. Examiner kindly asks the applicant to resubmit the amendment with the terminal disclaimer.
3. Applicant arguments filed 2-12-08 have been fully considered but they are not persuasive for the same reasons as shown above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcos L Torres  
Examiner  
Art Unit 2617

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